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DATE:

October 6, 2003

MATTER NUMBER:

10010530

RECIPIENT(S):	FAX No.:	PHONE No.:
Scott Preibe	703-872-9306	
United States Patent and Trademark Office		

Examiner Priebe has stated that our filing of September 5, 2003 has not been matched with the file at this point and that he would like for us to fax proof of the filing of a Notice of Appeal with a one-month extension of time.

FROM:	Steve	Highlander
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RE:

SN 08/540,343

Number of Pages with Cover Page:

7

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FULBRIGHT & JAWORSKI L.L.P.

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September 5, 2003

CERTIFICATE OF MAILING
37 C.F.R 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal
Service with sufficient postage as First Class Mail in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450, Alexandra, VA 22313-1450, on the
date below:

September 5, 2003
Date

Steven L. Highlander

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Re:

U.S. Serial No. 08/540,343 Entitled: "METHODS AND COMPOSITIONS FOR VIRAL ENHANCEMENT OF CELL KILLING" by Dennis E. Hallahan et al. Matter No. 10010530 / ARCD:194US

Enclosed for filing in the above-referenced patent application is:

- 1. Notice of Appeal From the Primary Examiner to the Board of Patent Appeals and Interferences:
- 2. Request for Extension of Time of one-month to and including September 5, 2003;
- 3. A check for \$215.00 as the fee for the extension of time, notice of appeal; and
- 4. A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

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COMMISSIONER FOR PATENTS September 5, 2003 Page 2

If the check is inadvertently omitted, or the amount is insufficient, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski L.L.P. Account No.: 50-1212/ARCD:194US/SLH.

truly yours,

teven I. Highlander

SLH/cpj

Encl: As noted

CERTIFICATE OF MAILING 37 C.F.R. 1.8

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September 5, 2003 Date

Steven V. Highlander

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Dennis E. HALLAHAN et al.

Serial No.: 08/540,343

Filed: October 6, 1995

For: METHODS AND COMPOSITIONS FOR

VIRAL ENHANCEMENT OF CELL

KILLING

Group Art Unit: 1632

Examiner: S. Priebe

Atty. Dkt. No.: ARCD:194/SLH

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

BOX AF Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Commissioner:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner mailed May 5, 2003, finally rejecting claims 8, 10, 11, 13, 15, 18-27 and 35-55.

The fee for filing this Notice of Appeal is \$160 and is attached hereto.

Also, a request for a one-month extension of time to respond is included herewith. The extension fee is included in the attached check with the Notice of Appeal fee. This one-month

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extension will bring the due date to September 5, 2003. Should such request or fee be deficient or absent, consider this paragraph such a request and authorization to withdraw the appropriate fee.

If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed material, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski L.L.P. Account No.: 50-1212/ARCD:194US/SLH.

Please date stamp and return the enclosed postcard to evidence receipt of this document.

Respectfully submitted,

Sleven I. Highlander Reg. No 37,642 Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P. 600 Congress Avenue, Suite 2400 Austin, Texas 78701 (512) 536-3118

Date:

September 5, 2003

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